

AMEND THE CONSTITUTION OF THE UNITED STATES.

MEMORIAL

OF

*Citizens of North Carolina, upon the subject of amending the Constitution
of the United States.*

APRIL 6, 1835.

Read, and committed to the Committee of the Whole House on the state of the Union.

To the honorable Congress of the United States of America :

The petition of the subscribers, inhabitants of the State of North Carolina,
humbly show to your honorable body :

That frequently questions have arisen respecting the constitutionality of acts of the Congress of the United States, on account of which great commotions have taken place among the people, which have threatened a dissolution of our Government; and whereas, there exists a diversity of opinion as to what tribunal such questions may be referred for adjudication; some denying the authority of the Supreme Court of the United States, and many who admit this to be the proper tribunal, believe this court to be constituted with too small a number of judges to decide national questions of such importance; and we view it as being of much importance to the permanence of our Government that we should have a known tribunal, entirely satisfactory to the people, to correct such constitutional errors, and that the Legislative, Executive, and Judicial branches of our Government (as they were designed by the framers of our constitution) should operate as a salutary check upon each other; we therefore pray that the following may be proposed to the several States of this Union, in the way provided by the constitution of the United States, to be adopted as an amendment thereof, to wit: In case that any State in the Union, either by the Legislature thereof, or by a convention chosen by the people of the same, shall solemnly declare their belief that any act which is or may be passed by both houses of Congress and approved by the President of the United States, is unconstitutional, the said State, by their Legislature or convention, shall make up a case, containing the grounds of their belief of its unconstitutionality, and lay it before the Supreme Court of the United States, which said court shall set the same for hearing upon the argument docket, at the next term, and give notice to the presiding justices of the highest court of each State, to attend the Supreme Court of the United States, on the day so appointed for the argument; which said court, for the trial of said

question, shall be composed of the Chief Justice and Associate Judges of said Supreme Court of the United States, together with the presiding Judge or Chief Justice of the highest court of each State, or a majority of them, whose decision, when made, shall be final; and that each State and every citizen thereof shall be bound thereby, any thing in the constitution or laws of any State to the contrary notwithstanding. And we, your petitioners, will ever pray, &c.

B. M. Edney
D. Reinhard
Edmund Osborn
Robert Williamson
S. P. Simpson
J. T. Alexander
B. S. Johnson
C. C. Henderson
Simeon Henderson
Carlos Leonard
Ald. Ramsour
David Ramsour
Thomas Dews
Philip Hines

Jacob Ramsour
David Seagle
John N. Vogler
Sam'l Lander
Paul Kistler
Gilbert Bredy
Michael Propat
William Gamble
Wm. J. Gunter
Thos. N. Horndorn
Isaac Ervin
A. Ramsour
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